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FACSIMILE TRANSMITTAL FORM

AUG 08 2006

Group Art Unit 3738
TO: Examiner Javier G. Blanco

DATE: August 8, 2006

COMPANY: United States Patent and Trademark Office

FACSIMILE NO.: 571-273-8300

FROM: Charles W. Agnew

NO. OF PAGES 7

(including this cover sheet).

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In Re Application of: Obermiller et al.

Atty. Docket No.: PA-5213-CIP-CON

Serial No.: 10/721,582

Group Art Unit: 3738

Filed: November 25, 2003

Examiner: Javier G. Blanco

Title: IMPLANTABLE VASCULAR DEVICE

Please enter and make of record the enclosed amendment to application Serial No. 10/721,582. The following documents are enclosed with this transmission:

Transmittal of Response to Election/Restriction Requirement (2 pages)
Petition and Fee For Extension of Time (2 pages)
Response to Election/Restriction Requirement (2 pages)

Charles W. Agnew
Registration No. 44,497
(812) 330-1824

Customer Number

9896

(812) 330-1824 (phone)
(812) 330-9049 (fax)

Serial No. 10/721,582

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Pamm Garwood

(Typed or printed name of person signing certification)

August 8 2006

Date

Pamm Garwood

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Obermiller et al.

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Serial No.: 10/721,582

Group Art Unit: 3738

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Title: IMPLANTABLE VASCULAR DEVICE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313TRANSMITTAL OF RESPONSE TO
ELECTION/RESTRICTION REQUIREMENT

SIR:

Please make of record the following papers relating to the above-identified application:

**Petition and Fee For Extension of Time (2 pages)
Response to Election/Restriction Requirement (2 pages)**

FEE FOR CLAIMS

| Claims Remaining After Amendment Previously Paid For | Highest Number Previously Paid For | No. Extra | Rate | Calculations |
|---|---------------------------------------|-----------|------------|-------------------|
| Total No. of Claims | 13 | - 20 | = 0 | x \$ 50 = \$ 0.00 |
| Independent Claims | 6 | - 6 | = 0 | x \$200 = \$ 0.00 |
| Multiple Dependent Claim(s), if applicable | | | + \$360 = | N/A |
| | | | TOTAL FEE: | \$0.00 |

Serial No. 10/721,582

PATENT

The Commissioner is authorized to charge our Deposit Account No. 13-2528 in the amount of \$450.00 for payment of the fee for two months extension of time. In the event of improper payment of a required fee, the Commissioner is authorized to charge or to credit Deposit Account No. 13-2528 as required to correct the error.

Please address all correspondence to:

Charles W. Agnew
Patent Agent
P.O. Box 2269
Bloomington, IN 47402-2269
812-330-1824

Respectfully,



Agent for Applicants
Charles W. Agnew
Reg. No. 44,497

Customer Number

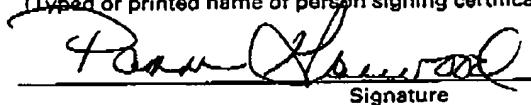
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Page 2 of 2

Serial No. 10/721,582

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| <u>August 8, 2006</u> Date | <u>Pamm Garwood</u> (Typed or printed name of person signing certification)  Signature |

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Title: IMPLANTABLE VASCULAR DEVICE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

SIR:

RESPONSE TO ELECTION/RESTRICTION
REQUIREMENT UNDER 35 U.S.C. §121

In response to the Election/Restriction requirement under 35 U.S.C. § 121 in the Office Action of June 6, 2006, Applicant elects Group I that includes Claims 1,7, and 18-25.

Although the foregoing discussion is believed to be dispositive of the issues in this case, Applicant's attorney requests a telephone interview with the

Serial No. 10/721,582

PATENT

Examiner should any unresolved issues remain after the Examiner's consideration of this response to the Election/Restriction requirement.

Respectfully submitted,

Joseph F. Obermiller

Date: Aug 8, 2006

By



Charles W. Agnew, Patent Agent
Reg. No. 44,497

Customer Number

9896

(812) 330-1824 (phone)
(812) 330-9049 (fax)